

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

INFORMATION

COUNT ONE: (Title 21, United States Code, Section 851 – Notice of Prior Conviction)

The United States Attorney charges that:

1. On or about August 4, 1994, LEO BEATTY, defendant herein, was convicted in the Worcester Superior Court, Worcester, MA, of: (i) trafficking a controlled substance (cocaine), Criminal Docket No. 9306861, and (ii) distributing and dispensing a Class B controlled substance (cocaine), Criminal Docket No. 9306862.
2. On or about August 15, 1994, LEO BEATTY, defendant herein, was convicted in the Worcester Superior Court, Worcester, MA, of: (i) conspiracy to violate the Controlled Substances Act by trafficking cocaine, Criminal Docket No. 9306863, and (ii) conspiracy to violate the Controlled Substances Act by distributing a Class B controlled substance (cocaine), Criminal Docket No. 9306866.
3. On or about November 30, 1992, LEO BEATTY, defendant herein, was convicted in the Worcester Superior Court, Worcester, MA, of conspiracy to violate the Controlled Substances Act by trafficking cocaine, Criminal Docket

No. 920094C.

4. LEO BEATTY has been named as a defendant in an Indictment in the above captioned matter, Criminal No. 4:05-cr-40021-FDS, charging him with four counts of distribution of cocaine base in violation of 21 U.S.C. § 841(a)(1) and aiding and abetting same in violation of 18 U.S.C. § 2.
5. By way of this Information, the government notifies LEO BEATTY that he is charged with committing the crimes alleged in said Indictment after having been previously convicted of the felony drug offenses set out in Paragraphs 1 – 3 above, and that at the sentencing of defendant LEO BEATTY, the government will seek increased punishment by reason thereof.

All in keeping with Title 21, United States Code, Section 851(a)(1).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

August 30, 2005

By: _____ /s/ Lisa M. Asiaf
LISA M. ASIAF
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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery to all counsel of record who do not automatically receive service of process via the Court's ECF electronic filing system.

This 30th day of August 2005.

/s/ Lisa M. Asiaf
LISA M. ASIAF
ASSISTANT UNITED STATES ATTORNEY